

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

Eric J. Nicoll and Letitia Y. Nicoll,

Plaintiffs,            Case No. 1:18-cv-04550

v.

Michael L. Brown  
United States District Judge

Wells Fargo Bank, N.A., et al.,

Defendants.

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**ORDER**

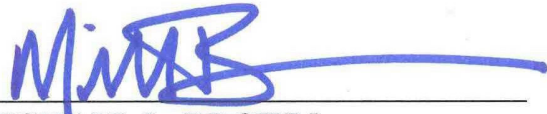
Plaintiffs Eric J. Nicoll and Letitia Y. Nicoll filed this quiet title action in the Superior Court of Gwinnett County, Georgia, alleging Defendants' lien on the property is invalid. (Dkt. 1-1 at 7.) Defendants removed the action to federal court and moved to dismiss. (Dkts. 1, 4.) Plaintiffs did not respond. The Magistrate Judge then issued a show cause order, directing Plaintiffs to show cause within ten days why the motion to dismiss should not be granted. (Dkt. 12.) The Magistrate Judge expressly warned Plaintiffs that the Court would dismiss their claims if they failed to comply. (*Id.* at 1.) Plaintiffs did nothing.

The Magistrate Judge then issued a Report and Recommendation recommending dismissal for want of prosecution under Local Rule 41.3(A)(2). (Dkt. 13.) That rule states “[t]he court may, with or without notice to the parties, dismiss a civil case for want of prosecution if . . . [a] plaintiff . . . shall, after notice . . . fail or refuse to obey a lawful order of the court.” LR 41.3A(2), NDGa. Plaintiffs filed no objections to the recommendation.

When a party files no objections to a magistrate judge’s recommendation, a court reviews the record for plain error. *See United States v. Slay*, 714 F.2d 1093, 1095 (11th Cir. 1983) (per curium). After doing so, the Court finds no error in the Magistrate Judge’s conclusion that Plaintiffs’ complaint should be dismissed for want of prosecution. (Dkt. 13 at 4.) Defendants’ motion to dismiss has been pending for more than six months without a response from Plaintiffs. Plaintiffs have failed to obey a lawful order of the Court and seem uninterested in pursuing this matter. (*Id.* at 4 & n.3.)

The Court thus **ADOPTS** the Magistrate Judge’s Report and Recommendation (Dkt. 13) and **DISMISSES** this case.

**SO ORDERED** this 16th day of April, 2019.

A handwritten signature in blue ink, appearing to read 'M. L. Brown', with a long horizontal flourish extending to the right.

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MICHAEL L. BROWN  
UNITED STATES DISTRICT JUDGE